

REMARKS

Reconsideration and allowance are respectfully requested.

Claims 1, 5-12 and 16-17 are pending. In response to the Examiner's restriction requirement, Applicant elected Group I and the elected claims 1, 5-11 and 17 were indicated as allowed in the Office Action (Paper No. 19). The Action is incorrect, however, because it does not indicate that non-elected claims 12 and 16 were withdrawn from consideration by the Examiner. These claims have not been canceled and Applicant previously requested their rejoinder because they shared the same inventive concept (see Amendment filed May 12, 2003). The restriction requirement was timely traversed (see Response filed September 30, 2002).

Therefore, rejoinder is again requested so that claims 12 and 16 may now be examined and then issued in the same patent as allowed claims 1, 5-11 and 16.

A priority claim to the parent application has been added after the title. No new matter is added because Applicant's Rule 63 Declaration makes the same priority claim.

Claim 7 has been amended to correct an improper Markush group.

Finally, Applicant requests return of an initialed copy of the Form PTO-1449 filed December 4, 2000 as part of an Information Disclosure Statement. Another copy is attached for the Examiner's convenience.

Having fully responded to the Examiner's requirement to correct informalities, Applicant submits that the pending claims are in condition for allowance and earnestly solicit an early Notice to that effect. The Examiner is invited to contact the undersigned if any further information is required.

Respectfully submitted,

NIXON & VANDERHYTE P.C.

By: 

Gary R. Tanigawa
Reg. No. 43,180

1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100